

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 10/03/2022**

EMANUEL DELACRUZ, *on behalf of  
himself and all other persons similarly  
situated,*

Plaintiff,

v.

FIVE BELOW, INC.,

Defendant.

19-CV-10294 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

By Order dated August 3, 2022, the Court provided Plaintiff until September 5, 2022 to file an amended complaint, to the extent he had a good-faith basis to do so. After no amended complaint was filed, the Court warned Plaintiff that he may do so by September 21, 2022 or risk dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). If Plaintiff does not file an amended complaint on or before October 17, 2022, the Court will dismiss this case for failure to prosecute.

SO ORDERED.

Dated: October 3, 2022  
New York, New York



Ronnie Abrams  
United States District Judge